



UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA

V.

JAMES KERR KYLE, JR.

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CASE NO. 9:07-CR-18

MEMORANDUM ORDER
ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his *Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge* [Clerk's doc. #16]. The Magistrate Judge recommended that the Court accept Defendant's guilty plea and conditionally accept the plea agreement. He further recommended that the Court finally adjudge Defendant as guilty on **Count I** of the **Information** filed against Defendant in this cause.

The parties have not objected to the magistrate's findings. The Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is, therefore,

ORDERED that the *Findings of Fact and Recommendation on Guilty Plea* [Clerk's doc. #16] of the United States Magistrate Judge are **ADOPTED**. The plea agreement is conditionally accepted by the Court at this time. It is further **ORDERED** that, in accordance with Defendant's guilty plea and the magistrate's findings and recommendation, Defendant, James Kerr Kyle, Jr., is hereby adjudged as guilty on **Count I** of the charging **Information** charging violations of Title 18, United States Code, Section 1344(1).

So **ORDERED** and **SIGNED** this **24** day of **July, 2007**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge